

EXHIBIT A

Archived: Wednesday, June 14, 2017 1:19:38 PM

From: Waldron, Jonathan R.



Sent: Tuesday, June 13, 2017 5:39:28 PM

To: Schwartz, Steven; Christopher D. Baucom; Lindsay Davis; Travis West (twest@westdunn.com); Jonathan Shulan; Silker, Elizabeth; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.

Cc: Colley, Michelle; Bertucci, James

Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Importance: Normal

Attachments: image001.jpg  image002.jpg 

Chris, there were no individuals we named during yesterday's call as potential witnesses that were not already named in our Rule 26 disclosures. We merely stated there could be additional witnesses that were not listed, which may turn up when we eventually receive responses to our outstanding requests for documents from four defendants.

Concerning the trial setting, I understand the proposed July 9th trial week is unacceptable to defendants based on a concern that trial would go into a second week. Given this concern, it appears doubtful there could be any agreement on any dates in June, July, or August, even among defendants. After contacting the Court's clerk, I learned that the week of July 9th is available for a potential week-long trial (but not the week before or after). Given Defendants' conflicts identified below, it appears there are no dates in June, July, or August that would work either. We'll go ahead and file our motion with the Court seeking a September trial date, which appears to be the earliest there may be availability anyhow among all the parties.

On the bright side, at least Chris can now celebrate his over-the-hill birthday properly.

Jonathan

Jonathan R. Waldron
Direct: 314.613.2575

EXHIBIT A

From: Schwartz, Steven [<mailto:sschwartz@bjpc.com>]
Sent: Tuesday, June 13, 2017 4:32 PM
To: Christopher D. Baucom; Waldron, Jonathan R.; Lindsay Davis; Travis West (twest@westdunn.com); Jonathan Shulan; Silker, Elizabeth; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.
Cc: Colley, Michelle; Bertucci, James
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

I have a conflict the week of June 18, 2018 but I am available the following two weeks. The second week includes the July 4th holiday.

Steven Schwartz | Principal
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From: Christopher D. Baucom [<mailto:cbaucom@ArmstrongTeasdale.com>]
Sent: Tuesday, June 13, 2017 4:22 PM
To: Schwartz, Steven <sschwartz@bjpc.com>; Waldron, Jonathan R. (LG) <jwaldron@lathropgage.com>; Lindsay Davis <ldavis@buckleylawllc.com>; Travis West (twest@westdunn.com) <twest@westdunn.com>; Jonathan Shulan <JShulan@ArmstrongTeasdale.com>; Silker, Elizabeth <bsilker@bjpc.com>; Martin Buckley <mbuckley@buckleylawllc.com>; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG) <bhaith@lathropgage.com>; Breese, Casey C. (LG) <cbreese@lathropgage.com>
Cc: Colley, Michelle <mcolley@bjpc.com>; Bertucci, James <jbartucci@bjpc.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

All,

EXHIBIT A

My apologies for weighing in late. As Steve indicated earlier, I have been traveling today. As we discussed yesterday, I reached out to my client regarding a three month extension. They have begrudgingly agreed to that extension but only if it is truly three months. As indicated earlier on this email chain, that would have the trial starting the week of June 25th.

Additionally, regarding availability the week of July 9th, after our discussion yesterday which included plaintiff's counsel mentioning a number of potential witnesses not previously identified through Rule 26 disclosures or otherwise, it seems that a 4-5 day trial is – to put it politely – unlikely. Frankly, if only the individual named parties to this action testified for an average of three hours each (an exceptionally conservative estimate) that testimony alone would take three full trial days. As it is, therefore, significantly likely that the trial would run over into the week of July 16th, I have a conflict. Because I am otherwise occupied on other matters that would have me unavailable until late-August or early-September, we simply cannot agree to the July 9th date.

My clients are, however, amenable to a June 18th or 25th trial. However, if that happens it's going to mean I am in a courtroom with all of you on my 40th birthday. I think we can agree that no one considers that an ideal way to celebrate that milestone so somebody better buy me a cake.

Finally, the protective order, as revised, is fine.

Chris

<http://www.armstrongteasdale.com/signature/logo.jpg>

Armstrong Teasdale LLP

Christopher D. Baucom | Partner

DIRECT: 314.342.4187 | FAX: 314.613.8550 | MAIN OFFICE: 314.621.5070 | CELL:
314.619.3321

EXHIBIT A

From: Schwartz, Steven [<mailto:sschwartz@bjpc.com>]
Sent: Tuesday, June 13, 2017 4:06 PM
To: Waldron, Jonathan R. (LG); Lindsay Davis; Christopher D. Baucom; Travis West (twest@westdunn.com); Jonathan Shulan; Silker, Elizabeth; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG); Breese, Casey C. (LG)
Cc: Colley, Michelle; Bertucci, James
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Jonathan:

I don't see a big difference between a trial in late June or early July but I don't want to limit it to just one week and, if the Judge can't do it that week, be stuck pushing it to August or September because of other people's schedules. I have no problem with you calling the clerk and asking about alternate dates in June and July so we can try to agree on one.

We will not agree to make our clients available for depositions in August if your client is not going to be deposed until August 30 or 31. We want to depose Mr. Dunne Jr. on August 30 and his father on August 31. If you can agree to that, I am glad to try to schedule some or all of the defendants' depositions in September but, since they are located in various parts of the country, I would like a chance to coordinate the schedules with Chris and Gene and get back to you with dates for all the defendants' depositions. I need to be at some of the depositions but I can send other lawyers in my firm to other depositions, and I think that may be true for the other defendants' lawyers too so it is a bit of a jigsaw puzzle to work out that scheduling.

Steven Schwartz | Principal
800 Market Street, Suite 1100
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314-242-5280

EXHIBIT A

sschwartz@bjpc.com

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From: Waldron, Jonathan R. (LG) [<mailto:jwaldron@lathropgage.com>]
Sent: Tuesday, June 13, 2017 3:51 PM
To: Schwartz, Steven <sschwartz@bjpc.com>; Lindsay Davis <ldavis@buckleylawllc.com>; Christopher D. Baucom <cbaucom@ArmstrongTeasdale.com>; Travis West (twest@westdunn.com) <twest@westdunn.com>; Jonathan Shulan <JShulan@ArmstrongTeasdale.com>; Silker, Elizabeth <bsilker@bjpc.com>; Martin Buckley <mbuckley@buckleylawllc.com>; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG) <bhaith@lathropgage.com>; Breese, Casey C. (LG) <cbreese@lathropgage.com>
Cc: Colley, Michelle <mcolley@bjpc.com>; Bertucci, James <jbartucci@bjpc.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Steve,

Am I correct in interpreting your response below as stating that your clients will not agree to a compromise trial setting of July 9th if the Court is willing to set the matter for trial that week? If that's correct, then we will file our motion and I'm confident that the issue of whether trial will occur in June or September 2018 will be decided by the Court long before July 18th. We will, however, check with our client about their availability for deposition August 30-31 and let you know this week. Please indicate your clients' available dates for deposition in August or early September, or explain why you are unable to provide potential dates until we agree on a date certain for Dunne's deposition.

If a trial setting of July 8th would work, however, perhaps it would make sense to send a joint e-mail to chambers simply inquiring whether the Court would be willing to hold trial that week instead if the parties agree by consent to move it to that date. If so, then we can work together on all the remaining deadlines.

Jonathan

EXHIBIT A

Jonathan R. Waldron

Direct: 314.613.2575

From: Schwartz, Steven [<mailto:sschwartz@bjpc.com>]

Sent: Tuesday, June 13, 2017 2:58 PM

To: Waldron, Jonathan R.; Lindsay Davis; Christopher D. Baucom; Travis West (twest@westdunn.com); Jonathan Shulan; Silker, Elizabeth; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.

Cc: Colley, Michelle; Bertucci, James

Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Jonathan:

I am not sure how what you said below is substantively different from what I said in my email below, except that you still haven't committed to a date certain for your client's deposition. Whether the trial is in late June or early July is going to be up to the Judge. I am happy to agree on deadlines for each party to make their clients available for depositions but we will need a date certain for your client's deposition. As of now, it is currently noticed for July 18 and I will not agree to change the date until we have a new date. If you cannot provide an alternate date, I will have no choice but to file a motion to compel.

Steven Schwartz | Principal
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[Website](#) | [Bio](#) | [LinkedIn](#)

EXHIBIT A

From: Waldron, Jonathan R. (LG) [<mailto:jwaldron@lathropgage.com>]
Sent: Tuesday, June 13, 2017 2:39 PM
To: Schwartz, Steven <sschwartz@bjpc.com>; Lindsay Davis <ldavis@buckleylawllc.com>; Christopher D. Baucom <cbaucom@ArmstrongTeasdale.com>; Travis West (twest@westdunn.com) <twest@westdunn.com>; Jonathan Shulan <JShulan@ArmstrongTeasdale.com>; Silker, Elizabeth <bsilker@bjpc.com>; Martin Buckley <mbuckley@buckleylawllc.com>; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG) <bhaith@lathropgage.com>; Breese, Casey C. (LG) <cbreese@lathropgage.com>
Cc: Colley, Michelle <mcolley@bjpc.com>; Bertucci, James <jbartucci@bjpc.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Counsel:

We proposed a reasonable extension of the trial date to September 2018. Your proposal would only push back trial 10-13 weeks and that is simply not reasonable given the more than six months of delays, with some defendants just answering the Complaint last week and with four defendants still not having produced any documents to us in response to valid discovery requests issued four months ago. We provided our best possible compromise already, something which already would have aggressively pressed schedules, and we are not willing to agree to a June trial setting. If Defendants cannot agree to seek a new trial date in July or later then we simply will not be able to reach a compromise and we will prepare a motion asking the Court to decide the issue. Note that if the Court can hear the case the week of July 9th, then perhaps that would even accommodate Mr. Baucom's unavailability for an entire month, which was not mentioned on yesterday's call.

Unless we hear by end of business today that your respective defendants will agree to setting trial in July 2018 or later, we will file our request with the Court seeking something more akin to our original, more realistic request. If we are able to reach an agreement on a proposed trial setting, we are willing to add an agreed-upon deadline in the schedule by which the parties must make their clients available for depositions, which will allow each party to propose the dates that works best for their clients to have their depositions taken. Additionally, we would be willing to work with whatever exclusionary dates you have for vacations, trials, etc.

Jonathan

EXHIBIT A

Jonathan R. Waldron

Direct: 314.613.2575

From: Schwartz, Steven [<mailto:sschwartz@bjpc.com>]

Sent: Tuesday, June 13, 2017 11:56 AM

To: Waldron, Jonathan R.; Lindsay Davis; Christopher D. Baucom; Travis West (twest@westdunn.com); Jonathan Shulan; Silker, Elizabeth; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.

Cc: Colley, Michelle; Bertucci, James

Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Chris Baucom is out of the office today but I spoke to him and we both agree that we can agree to a three-month continuance of the trial date with the following prerequisites:

1. We put our exclusionary dates in the motion to the court so that the trial does not get set on a vacation date, etc. Chris also mentioned that he is unavailable from mid-July through mid-August, 2018 so we will be seeking a trial in mid to late June.

2. We get a date certain for the depositions of Messrs. Dunne Jr. and Sr., preferably August 30 and 31.

We understand that you want dates for our clients too and we will endeavor to provide those after we have dates for the Dunnes. It will not be feasible for all the depositions to get done in the same week or two weeks because the defendants are located in different parts of the country.

I'll get back to you about the protective order shortly.

EXHIBIT A

Steven Schwartz | Principal
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From: Waldron, Jonathan R. (LG) [<mailto:jwaldron@lathropgage.com>]
Sent: Tuesday, June 13, 2017 11:29 AM
To: Lindsay Davis <ldavis@buckleylawllc.com>; Christopher D. Baucom <cbaucom@ArmstrongTeasdale.com>; Travis West (twest@westdunn.com) <twest@westdunn.com>; Jonathan Shulan <JShulan@ArmstrongTeasdale.com>; Schwartz, Steven <sschwartz@bjpc.com>; Silker, Elizabeth <bsilker@bjpc.com>; Martin Buckley <mbuckley@buckleylawllc.com>; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG) <bhaith@lathropgage.com>; Breese, Casey C. (LG) <cbreese@lathropgage.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOF-iDocs.FID2982760]

Counsel:

Following-up on yesterday's call, I am attaching a tracked-changes version of the Protective Order changes we discussed during our call for your review. I have also proposed changes to Paragraph 5(b)(7) that I believe adequately addresses the concern raised about use of exhibits marked as confidential during depositions. While we do not agree that there should be a blanket prohibition on using documents at deposition that were previously marked as containing confidential information, we understand the concern about a blanket allowance for use of such documents at deposition. Accordingly, the revised language proposes a mechanism to allow for case-by-case determinations of reasonableness prior to such disclosure. Please advise if these changes are acceptable.

EXHIBIT A

As a reminder, we are awaiting your response this morning as to whether the parties can reach a compromise on suggesting a mid-July 2018 trial date to the Court.

Jonathan

Jonathan R. Waldron
Direct: 314.613.2575

From: Waldron, Jonathan R.
Sent: Friday, June 09, 2017 2:47 PM
To: Lindsay Davis; Christopher D. Baucom; Travis West (twest@westdunn.com); Jonathan Shulan; sschwartz@bjpc.com; esilker@bjpc.com; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Counsel,

Let's plan to hold our call **Monday afternoon at 3:30 pm. On June 12th**. I believe a representative from each party has responded that this time will work. To dial in:

Dial: 888.240.2560

Passcode: 3146132575#

As requested, I am circulating a proposal for modifying the existing CMO to accommodate the more than six-month delay associated with several rounds of motions to dismiss. The proposal redlines the existing CMO deadlines and changes the expected duration of trial

EXHIBIT A

from 2-3 days to 4-5 days, which is our best estimate based on the number of parties and witnesses likely to be called. I am also attaching the previously-circulated proposed confidentiality protective order, which we should discuss as well.

Talk to you then.

Jonathan

Jonathan R. Waldron
Direct: 314.613.2575

From: Lindsay Davis [<mailto:ldavis@buckleylawllc.com>]
Sent: Wednesday, June 07, 2017 11:21 AM
To: Waldron, Jonathan R.; Christopher D. Baucom; Travis West (twest@westdunn.com); Jonathan Shulan; sschwartz@bjpc.com; esilker@bjpc.com; Martin Buckley; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

NewWay agrees that changes to the scheduling order are necessary. I am available June 12th after 12:00, or anytime on the 15th or 16th.

Lindsay E. Davis

Buckley & Buckley, LLC

800 Market Street, Suite 2900

St. Louis MO 63101

EXHIBIT A

314-621-3434 Telephone

314-621-3485 Fax

The above communication is privileged and confidential and is intended for viewing only by the recipients listed above. If you have received this communication and you are not one of the above recipients you are hereby directed to destroy all copies of such and notify this sender immediately.

You should be aware that email is not a secure method of communication, that it may be copied and held by any computers through which it passes, and persons not participating in the communication may intercept the communication. By sending communications via e-mail, you have consented to such method of communication. Should you wish to discontinue this method of communication, please advise, and no further emails will be sent.

From: Waldron, Jonathan R. (LG) [<mailto:jwaldron@lathropgage.com>]
Sent: Wednesday, June 07, 2017 9:24 AM
To: Christopher D. Baucom <cbaucom@ArmstrongTeasdale.com>; Travis West (twest@westdunn.com) <twest@westdunn.com>; Jonathan Shulan <JShulan@ArmstrongTeasdale.com>; sschwartz@bjpc.com; esilker@bjpc.com; Martin Buckley <mbuckley@buckleylawllc.com>; Lindsay Davis <ldavis@buckleylawllc.com>; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG) <bhaith@lathropgage.com>; Breese, Casey C. (LG) <cbreese@lathropgage.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Thanks, Chris. As long as there is general agreement that revisions to the schedule are necessary, including upcoming expert disclosure deadlines, then I do not have a problem waiting until next week to discuss. I can make a call work anytime Monday the 12th or Thursday the 15th. If others will advise on their availability, we can go ahead and set a

EXHIBIT A

time after we've heard from a representative from each party.

Jonathan R. Waldron
Direct: 314.613.2575

From: Christopher D. Baucom [<mailto:cbaucom@ArmstrongTeasdale.com>]
Sent: Wednesday, June 07, 2017 9:14 AM
To: Waldron, Jonathan R.
Cc: Travis West (twest@westdunn.com); Jonathan Shulan; sschwartz@bjpc.com; esilker@bjpc.com; mbuckley@buckleylawllc.com; ldavis@buckleylawllc.com; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.
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Thanks, Jonathan. Unfortunately I will be in a deposition all day tomorrow and I doubt anyone wants to hold the call at 7:00 pm.

I believe all the necessary players are on this email chain. With the number of attorneys involved in this case I can understand how one name could fall through the cracks.

Regards,

Chris

<http://www.armstrongteasdale.com/signature/logo.jpg>

Armstrong Teasdale LLP

Christopher D. Baucom | Partner

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EXHIBIT A

From: Waldron, Jonathan R. (LG) [<mailto:jwaldron@lathropgage.com>]
Sent: Wednesday, June 07, 2017 9:11 AM
To: Christopher D. Baucom
Cc: Travis West (twest@westdunn.com); Jonathan Shulan; sschwartz@bjpc.com; esilker@bjpc.com; mbuckley@buckleylawllc.com; ldavis@buckleylawllc.com; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L. (LG); Breese, Casey C. (LG)
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Chris,

We can certainly reschedule the call to ensure you have the opportunity to attend. If I've left anyone else off, let me know. Everyone else who responded indicated their availability this afternoon or Thursday 6/8 after 2 p.m., but if you are not available during those times then please advise and we can look to 6/12 or 6/15. We'll look into circulating something prior to our call. I'm attaching the proposed protective order I circulated earlier in case you did not receive it from your associate.

Jonathan

Jonathan R. Waldron
Direct: 314.613.2575

From: Christopher D. Baucom [<mailto:cbaucom@ArmstrongTeasdale.com>]
Sent: Wednesday, June 07, 2017 8:03 AM
To: Waldron, Jonathan R.
Cc: Travis West (twest@westdunn.com); Jonathan Shulan; sschwartz@bjpc.com; esilker@bjpc.com; mbuckley@buckleylawllc.com; ldavis@buckleylawllc.com; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.
Subject: FW: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

EXHIBIT A

Jonathan,

Welcome to the case. I am the lead counsel for Defendants RCI, Danley, and Kersey. It appears that I was inadvertently left off of the email chain below beginning with your email of 6/5 at 5:49 p.m. Please ensure that I am copied on all future group correspondence on this case.

Additionally, it is my understanding that you did not hear from either of the attorneys for RCI, Danley or Kersey regarding our availability for a conference call on this matter prior to setting the time mentioned below. In any event, we are not available for a call today on this case. We are available for a call any time after 10:30 a.m. this Friday. Should that not work for all involved, we are also generally available on Monday the 12th or Thursday the 15th to discuss the issues mentioned in your original email.

To the extent plaintiff is going to seek to extend the scheduling order – something that my clients agree is likely necessary due to the extended briefing in this case – it would be beneficial for you to circulate your proposed revisions in advance of any call.

Please confirm that the call today will not proceed as counsel for three of the defendants is unable to participate. Should the availability mentioned above not work for the other counsel on this matter, please let me know and I will provide additional availability.

Regards,

Chris

<http://www.armstrongteasdale.com/signature/logo.jpg>

Armstrong Teasdale LLP

Christopher D. Baucom | Partner

DIRECT: 314.342.4187 | FAX: 314.613.8550 | MAIN OFFICE: 314.621.5070 | CELL:
314.619.3321

EXHIBIT A

From: "Waldron, Jonathan R. (LG)" <jwaldron@lathropgage.com>
Date: June 6, 2017 at 9:54:38 PM CDT
To: Travis James West <twest@westdunn.com>, "jshulan@armstrongteasdale.com" <jshulan@armstrongteasdale.com>, "sschwartz@bjpc.com" <sschwartz@bjpc.com>, "esilker@bjpc.com" <esilker@bjpc.com>, "mbuckley@buckleylawllc.com" <mbuckley@buckleylawllc.com>, "ldavis@buckleylawllc.com" <ldavis@buckleylawllc.com>, "gjb@herzogcrebs.com" <gjb@herzogcrebs.com>, "bmw@herzogcrebs.com" <bmw@herzogcrebs.com>
Cc: "Haith, Barry L. (LG)" <bhaith@lathropgage.com>, "Breese, Casey C. (LG)" <cbreese@lathropgage.com>
Subject: RE: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

All,

I believe I have heard from everyone now and that 11 a.m. on Wednesday will work to hold our call.

Dial: 888.240.2560

Passcode: 3146132575#

Talk to you then.

Jonathan

Jonathan R. Waldron
Direct: 314.613.2575

From: Travis James West [mailto:twest@westdunn.com]
Sent: Tuesday, June 06, 2017 1:40 PM
To: Waldron, Jonathan R.

EXHIBIT A

Cc: jshulan@armstrongteasdale.com; sschwartz@bjpc.com; esilker@bjpc.com; mbuckley@buckleylawllc.com; ldavis@buckleylawllc.com; gjb@herzogcrebs.com; bmw@herzogcrebs.com; Haith, Barry L.; Breese, Casey C.

Subject: Re: Dunne v. Resource Converting, LLC et al., 4:16cv1351-DDN - Draft Stipulated Protective Order [IWOV-iDocs.FID2982760]

Jonathan,

I am available anytime prior to 4pm on Wednesday, anytime except between 11-12 on Thursday, or anytime on Friday.

Travis

Travis James West

West & Dunn

P.O. Box 37

Waunakee, Wisconsin 53597

Office: 608-535-6420

Direct: 608-535-6421

Fax: 608-501-3765

<http://static1.squarespace.com/static/576ffc0120099e977d112067/t/578313fc29687fd70b62e454/1468474668434/?format=1500w>

EXHIBIT A

On Mon, Jun 5, 2017 at 5:49 PM, Waldron, Jonathan R. (LG) <jwaldron@lathropgage.com> wrote:

Counsel,

I will be assisting Barry with this matter going forward as Casey will be relocating to Denver in the near future. Concerning the effort to reach an agreed upon protective order, I am attaching a proposed order that is one of the best I've come across in both its simplicity and fairness to all parties. It was developed as a model protective order by a federal district court and I've had good success proposing it to parties in other litigation. If we can agree to use this order, it would short-circuit having a discussion about the issues we have with the previously proposed order.

While I am still getting up to speed on this matter, I understand RCI and NewWay have withheld documents requested in discovery citing a desire to have a protective order in place before producing the responsive documents. While I'm doubtful we agree on the validity of withholding production on that basis, I think we can agree that progress with discovery in general has suffered due in no small part to the extensive motion practice over the last several months. Having outstanding discovery further complicates the problem.

I would like suggest we set up a call sometime this week to discuss the status of discovery, the protective order issue, and the current scheduling order. I do not believe I have worked with any of you in the past, so I would also appreciate the opportunity to make your acquaintance on the call. Please let me know of your available/preferred times for a call this week. I can make myself available for a call anytime Wednesday or Thursday, or Friday afternoon. Barry is out of pocket this week but may join us on the call depending on when it is set.

Jonathan

Jonathan R. Waldron
P: 314.613.2575